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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/798,476

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Joshua David Banko

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06/29/2006

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EXAMINER

KAYRISH, MATTHEW

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,476

Applicant(s)

BANKO, JOSHUA DAVID

Examiner

Matthew G. Kayrish

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-6, 10, 12, 14-19, 23, 25, 26, 29-32, 35 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugita et al (US Patent Number 6931649).

Regarding claims 1, 12, 14 and 15, Sugita et al disclose:

An optical drive bezel for coupling to an optical drive including:

A functional bezel (figure 3, item 1) having a first opening (figure 3, item 19) to receive an optical disk and a first plurality of attachment features (figure 3, holes on item 17), the functional bezel coupled to the optical drive (figure 2, item 1 is part of CD changer [2]);

A disk guide (figure 3, items 25 and 26) rigidly coupled to the functional bezel (figure 3, item 25 and 26 are part of item 1);

A cosmetic bezel (figure 3, item 5) having a second opening (figure 3, item 11) to receive the optical disk and second plurality of attachment features (figure 2, item 1 is attached to item 5 by second attachment features through holes on item 17); and

Wherein the first opening and second opening are in alignment (column 6, lines 31-32).

Regarding claims 2, 16 and 29, Sugita et al disclose:

The optical drive bezel of claim 1, wherein the functional bezel provides structural rigidity for the optical drive (column 6, lines 40-43, metal is rigid).

Regarding claims 4, 17, 18 and 30, Sugita et al disclose:

The optical drive bezel of claim 1, wherein the functional bezel includes a plurality of mounting points for mounting the functional bezel to the optical drive (figure 2, item 1 is mounted to the optical drive) and for mounting the functional bezel to an enclosure that houses the optical drive (column 6, lines 31-35, item 5 is part of the enclosure),

Regarding claim 5, Sugita et al disclose:

The optical drive bezel of claim 1, wherein the functional bezel includes a plurality of mounting points for mounting the functional bezel to various configuration of various optical drives (figure 3, holes on 17 are in various locations).

Regarding claims 6, 19 and 32, Sugita et al disclose:

The optical drive bezel of claim 1, wherein the first plurality of attachment features of the functional bezel matches the second plurality of attachment features (figure 2, holes on 17 line up with second attachment features of 5)

Regarding claims 10, 23, 35 and 36, Sugita et al disclose:

The optical drive bezel of claim 1, wherein the second opening in the cosmetic bezel (figure 3, item 11) is larger than the first opening in the functional bezel (figure 4, item 19) to facilitate injection or ejection (11 is larger than 19 to facilitate injection).

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Regarding claim 25, Sugita et al disclose everything repeated from claim 1, further disclosing:

An optical drive attached to the enclosure (figure 1, item 2);

The cosmetic bezel rigidly coupled to the functional bezel through a coupling of the first and the second attachment features (See figure 2);

Wherein the first opening and the second opening are in alignment through the coupling of the first and second attachment features (column 6, lines 31-35).

Regarding claim 26, Sugita et al disclose:

The optical drive bezel of claim 25, wherein the optical drive is mounted to the enclosure (figure 1, item 5 is part of the enclosure).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 7-9, 11, 13, 20-22, 24, 27, 28, 33 and 34 rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita et al, in view of Kan-o (US Patent Number 6910217).

Regarding claims 3 and 27, Sugita et al fail to disclose:

An optical drive bezel comprising a cosmetic screen attached to the cosmetic bezel.

Kan-o discloses:

An optical drive bezel comprising a cosmetic screen attached to the cosmetic bezel (figure 3, item 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a cosmetic screen in the optical drive bezel of Sugita et al, as taught by Kan-o, because it will remove dust from a disk as it enters the optical drive.

Regarding claims 7, 20 and 33, Sugita et al fail to disclose:

A disk guide that facilitates proper attachment of the optical disk into the optical drive.

Kan-o discloses:

A disk guide that facilitates proper attachment of the optical disk into the optical drive (column 7, lines 41-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use rollers to guide the disk into Sugita et al's optical drive, as taught by Kan-o, because this will guide the disk into the optical drive and prevent it from brushing against any of the surrounding parts of the disk drive, thereby, preventing scratching and damage to the surface of the optical medium.

Regarding claims 8, 21 and 34, Sugita et al fail to disclose:

A disk guide that includes a ramp feature to point the optical disk down into the optical drive during injection and to point the optical disk up during ejection.

Kan-o discloses:

A disk guide that includes a ramp feature (figure 13, ramp is element 24 portion in front of roller) to point the optical disk down into the optical drive during injection and to point the optical disk up during ejection (column 7, lines 27-35, rollers [15] guide the disk in the right direction).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a ramp feature on a disk guide inserted in Sugita et al's optical drive bezel, as taught by Kan-o, because this ramp feature will direct the disk in the right direction so that it will not contact any of the hard corners in the optical disk drive, thereby preventing scratches to the surface of the optical medium.

Regarding claims 9, 13, 22 and 28, Sugita et al fail to disclose:

A cosmetic bezel, which includes a recess configured to receive a cosmetic screen.

Wherein the cosmetic screen is between the functional bezel and the cosmetic bezel.

Kan-o discloses:

A cosmetic bezel, which includes a recess configured to receive a cosmetic screen (figure 13, item 24 has a recess for item 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a recess in Sugita et al's cosmetic bezel to receive the cosmetic screen, as taught by Kan-o, because, by providing this recess, the cosmetic screen has a definite location within the bezel, therefore, ensuring that cosmetic screen will be held

in the proper place at all times. This will ensure that the screen is always performing the proper function, rather than becoming dislodged.

Furthermore, with regard to claim 13, providing Sugita et al's cosmetic bezel with cosmetic screen would place the cosmetic screen between the functional bezel and the cosmetic bezel. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that providing Sugita et al's cosmetic bezel with a cosmetic screen, as taught by Kan-o, would have the screen placed between the functional bezel and the cosmetic bezel, thereby locking it in place.

Regarding claims 11 and 24, Sugita et al fail to disclose:

A cosmetic bezel, which includes a cosmetic screen, that performs at least one of minimizing contaminants into the optical disk drive and wiping the optical disk as the optical disk is being inserted into the optical drive.

Kan-o discloses:

A cosmetic bezel, which includes a cosmetic screen, that performs at least one of minimizing contaminants into the optical disk drive and wiping the optical disk as the optical disk is being inserted into the optical drive (column 5, lines 45 & 46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Sugita et al with a cosmetic screen that prevents dust, as taught by Kan-o, because this will ensure a clean surface of the optical medium, which will allow the disc to be read clearly and is thus an accurate signal is provided.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Kayrish whose telephone number is 571-272-4220. The examiner can normally be reached on 8am - 5pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Matthew G. Kayrish

6/22/2006

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6/22/2006


ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER